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Dep & Ref Reg 307

SEARCHED, SERIALIZED
REFUND BRANCH
BRANCH

IN THE UNITED STATES

204 MAR 32 PM 4:00 2004 MAR 31 PM 1:03

EXAMINER : 1648 US PATENT & TRADEMARK
OFFICE
APPLICANT : B. Q. LI
APPLN. NUMBER : 10/073,377
FILED : February 9, 2002
FOR : INFLUENCE SYSTEM WITH ENHANCED TRANSCRIPTIONAL
AND READING CAPACITIES

Commissioner for Patents

Refund Section, Accounting Division

Office of Finance

P.O. Box 1450

Arlington, VA 22313-1450

REFUND REQUEST
(IMPROPER CHARGE ON DEPOSIT ACCOUNT)

I. REFUND REQUEST

This is a request for a refund of a surcharge to Deposit Account No. 14-1263, for the above identified patent application.

II. FEES CHARGED FOR WHICH REFUND IS REQUESTED

		Refund Requested
<input type="checkbox"/>	Filing fee	
<input type="checkbox"/>	Surcharge for filing the basic claim or claims later than the filing date of the application (37 CFR 1.17(a))	
	and/or	
<input type="checkbox"/>	Surcharge for filing the oath or declaration (37 CFR 1.17(b))	
<input type="checkbox"/>	Extension of the term for first named inventor (37 CFR 1.17(d))	
<input type="checkbox"/>	Excess Claims	
<input type="checkbox"/>	Issue Fee	

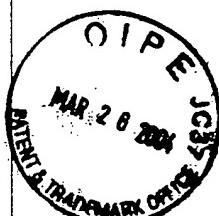
	Petition Fee	STATUS AND ENTITY BRANCH
<input checked="" type="checkbox"/>	Other- 3-month extension of time	\$475.00
FEE PAYMENT REQUESTED		2004 MAR 31 PM 1:03 950-475-\$475.00

III. EXPLANATION OF WHY COMMISSIONER'S CHARGE IS IN ERROR

The response to Office Action dated November 25, 2003 required only a small entity fee of \$475.00 for the 3-month extension of time. A copy of the 3-month extension of time filed on January 23, 2004 claiming small entity status is submitted herewith.

IV. MANNER OF REFUND

Please make refund by crediting my account No. 14-1263.



Norris, McLaughlin & Marcus P.A.
220 East 42nd Street, 30th Floor
New York, N.Y. 10017
Telephone: (212) 808-0700
Telecopier: (212) 808-0844

Enclosure: Copy of Petition for Extension of Time

CERTIFICATE OF MAILING

I hereby certify that this communication containing a copy of Petition for Extension of Time are being deposited with the United States Postal Service in an envelope addressed to: Commissioner for Trademarks, U.S. Patent and Trademark Office, 700 Leesburg Pike, Alexandria, VA 22314-1450 on the date indicated below:

Date: March 23, 2004

John C. Bach

Under the Paperwork Reduction Act of 1995.

PETITION FOR EXTENSION

CERTIFICATE OF PAPERWORK

I hereby certify that this Petition is being transcribed via facsimile to the and Probate Office on the 27th.

David D. King

This is a request under the provisions of section 32(2)(b) of the Act for an extension of time for filing a reply in the above identified application.

The requested extension and appropriate period of time for the audit will be determined by the auditor (subject to time period desired):

- One month (37 CFR 1.17(e)(1)) \$ _____
 - Two months (37 CFR 1.17(e)(2)) \$ _____
 - Three months (37 CFR 1.17(e)(3)) \$ 250.00
 - Four months (37 CFR 1.17(e)(4)) \$ _____
 - Five months (37 CFR 1.17(e)(5)) \$ _____

Applicant claims small entity rate under 37 CFR 1.18(e). Therefore, the fee amount shown above is reduced by one-half the non-reduced filing fee.

- A check in the amount of the fee is enclosed.
 - Payment by credit card. Form MP-CR-1363 is enclosed.
 - The Commissioner has already been instructed to deposit fees in this application to a Deposit Account.
 - The Commissioner is hereby authorized to deduct fees which may be required, or credit any overpayment, to P.O. Box 1363.

I am the applicant/inventor

WARNING: Information on this form is for identification purposes only. Credit card information should not be included on this form. Provide additional information on PTO-2038.

January 23, 2004

Date

(212) 808-0700

Telephone Number

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卷之三十一

NOTE: Signatures of all the inventors or assignees and their attorney or agent or representative(s) are required. Submit multiple forms if more than one signature is required.

- Total of

This collection of information is required by 37 C.F.R. 1.13. The use of this form is mandatory. Confidentiality is neither requested nor guaranteed.

JAN 23 2004

OFFICIAL

Approved for use through 7/31/2003. OMB 0651-0031
 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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 0651-0031

Docket Number (Optional)
100725-14**PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)****CERTIFICATE OF FACSIMILE TRANSMISSION**

I hereby certify that this Petition for Extension of Time is being transmitted via facsimile to the United States Patent and Trademark Office on the 23rd day of January, 2004

David D. Kim

In re Application of Gerd Hobom et al	
Application Number 10/073,377	Filed February 8, 2002
For Influenza Viruses with Enhanced Transcriptional and Replicative Capacities	
Art Unit 1648	Examiner R.Q. Li

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above identified application.

The requested extension and appropriate non-small-entity fee are as follows (check time period desired):

- | | |
|--|-----------|
| <input type="checkbox"/> One month (37 CFR 1.17(a)(1)) | \$ _____ |
| <input type="checkbox"/> Two months (37 CFR 1.17(a)(2)) | \$ _____ |
| <input checked="" type="checkbox"/> Three months (37 CFR 1.17(a)(3)) | \$ 950.00 |
| <input type="checkbox"/> Four months (37 CFR 1.17(a)(4)) | \$ _____ |
| <input type="checkbox"/> Five months (37 CFR 1.17(a)(5)) | \$ _____ |

- Applicant claims small entity status. See 37 CFR 1.26. Therefore, the fee amount shown above is reduced by one-half the resulting fee is: \$ 475.00.
- A check in the amount of the fee is enclosed.
- Payment by credit card. Form PTO-2038 is attached.
- The Commissioner has already been authorized to charge fees in this application to a Deposit Account.
- The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number 14-1263.
- I have enclosed a duplicate copy of this sheet.

I am the applicant/inventor

- assignee of record of the entire interest. See 37 CFR 3.71.
 Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).
- attorney or agent of record.
- attorney or agent under 37 CFR 1.34(a).
 Registration number if acting under 37 CFR 1.34(a) 53,123

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

January 23, 2004
 Date

(212) 808-0700
 Telephone Number

Signature

David D. Kim
 Typed or printed name

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

Total of **2** forms are submitted.

This collection of information is required by 37 CFR 1.136(a). This information is required to obtain or retain a benefit by the public which is to be paid by the USPTO in processing an application. Confidentiality is governed by 35 U.S.C. 123 and 37 CFR 1.14. This extension is estimated to take 6 hours to complete, including gathering, preparing, and transmitting the completed application form to the USPTO. This will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form under suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, 2000 Alexander, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

02/04/2004 17:45:00 1/29 PM [Eastern Standard Time] SVR:USPTO-EFXRF-10 DMS:1/23/2004 CSD:212 808 0844 DURATION (min):01:04

01 FC:1253 950.00 DA

Adjustment date: 04/09/2004 SDIRETAAI
 02/04/2004 DMARTIND 00000008 141263 10073377
 01 FC:1253 950.00 CR

04/09/2004 SDIRETAAI 00000003 141263 10073377

01 FC:2253 475.00 DA